REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance or into better condition for appeal.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, and the remarks that follow as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes and remarks are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 1-22 are pending. Claims 1, 8, 10-13, 19, 21 and 22 are amended, without prejudice. No new matter is added by these amendments. Support for the amended recitations in the claims is found throughout the specification, particularly on page 18, lines 11-21 and page 19, lines 3-9.

Claims 1-22 were rejected under 35 U.S.C. 103(a) allegedly as being unpatentable over Pargee et al. (U.S. Patent No. 4,422,093) in view of Stern (U.S. Patent No. 6,591,247). Applicants disagree. Pargee and Stern fail to teach or suggest the instant invention.

For example, claim 1, as amended herein, recites in part, "A business management method comprising...**determining said services and/or advertisements to be provided to said users based on said users viewing history data**..." (Underlining and Bold added for emphasis.)

It is respectfully submitted that the portions of Pargee and Stern relied upon by the Examiner neither disclose, suggest or motivate a skilled artisan to practice at least the above-recited feature of claim 1.

In explaining the above 103(a) rejection with regard to claim 1, the Examiner conceded that Pargee does not teach "advertisements and fees included in the contents." In an attempt to overcome this deficiency, the Examiner apparently relies on Stern to teach such feature. In particular, the Examiner appears to rely on the Abstract, column 1, lines 37-67, column 3, lines 12-32 and column 4, lines 46-67 of Stern.

Stern, however, fails to overcome the defects of Pargee. Stern relates to an advertising method and system for disseminating information concerning multiple products (column 3, lines 51-55). The instantly claimed invention, by contrast, determines services and/or advertisements to be provided to users based on the users viewing history data, as instantly claimed. As a result, Stern fails to teach, suggest or motivate a skilled artisan to practice the instantly claimed invention. Therefore, the instant claims are believed to be distinguishable from Pargee and Stern for at least the reasons stated above.

For reasons similar to those described above, claims 8, 13, 19 and 21 are also believed to be distinguishable from the applied combination of Pargee and Stern.

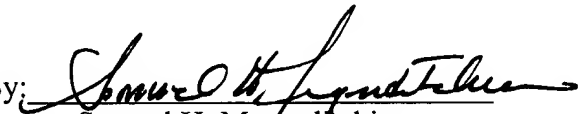
Claims 2-7, 9-12, 14-18 and 20-22 depend from one of claims 1, 8, 13, 19 and 21 and, due to such dependency, are also believed to be distinguishable from the applied combination of Pargee and Stern for at least the reasons previously described.

Applicants therefore respectfully request that the rejection of claims 1-22 under 35 U.S.C. §103(a) over Pargee and Stern be reconsidered and withdrawn.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Any fee occasioned by this paper may be charged, or overpayment credited, to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant(s)

By: 
Samuel H. Megerditchian
Reg. No. 45,678
Tel. (212) 588-0800